

Date April 21, 2025

**HOLD HEARING FOR APPROVAL OF DOCUMENTS FOR VACATION OF EXCESS
CEMETERY PROPERTY ADJOINING 1636 AND 1700 48TH STREET AND
CONVEYANCE TO SUSAN D. ANDREWS FOR \$21,850.00**

WHEREAS, the City of Des Moines, Iowa (“City”) owns numerous municipal cemeteries which are operated by the Park and Recreation Department; and

WHEREAS, on March 10, 2023, the Des Moines Masonic Cemetery Association Board of Directors passed a resolution to transfer ownership and control of the Des Moines Masonic Cemetery, located at 1550 48th Street, Des Moines, Iowa and all remaining funds in the Des Moines Masonic Cemetery operating account, after all payment of all outstanding costs and expenses, and all operations and business records and intangibles, to the City; and

WHEREAS, on July 17, 2023, by Roll Call No. 23-0982, the City Council approved an asset purchase agreement and offer to purchase for the transfer of ownership and control of the Des Moines Masonic Cemetery from the Des Moines Masonic Cemetery Association to the City of Des Moines, Iowa, pursuant to Deed filed and recorded in the Polk County Recorder’s office on January 31, 2024, in Book 19708, Page 520, and further dedicated said property as cemetery land; and

WHEREAS, Susan D. Andrews, owner of 1628 48th Street, Des Moines, Iowa, has offered to the City the purchase price of \$21,850.00 for the purchase of excess cemetery parkland lying west of and adjoining 1636 and 1700 48th Street, Des Moines, Iowa (hereinafter “Property”), for assemblage with 1628 48th Street, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, and further subject to the reservation of a no-build easement, which price reflects the restricted fair market value of the City Property as determined by the City’s Real Estate Division; and

WHEREAS, there is no known current or future public need or benefit for the City Property proposed to be sold, and the City will not be inconvenienced by the sale of said Property; and

WHEREAS, on April 7, 2025, by Roll Call No. 25-0500, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed vacation and conveyance of the cemetery parkland be set down for hearing on April 21, 2025, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to vacate and convey the excess City Property was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed vacation and conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.



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4. The Mayor is authorized and directed to sign the Offer to Purchase and Quit Claim Deed for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
5. The City Manager is authorized to sign any minor and non-substantial amendments to the purchase agreement and is further authorized to grant any temporary rights of entry for construction-related activities prior to closing.
6. Upon proof of payment of the consideration plus \$113.00 for publication and recording costs, the City Clerk is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said documents to be recorded.
7. The Real Estate Division Manager is authorized and directed to forward the original of the Quit Claim Deed, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing these documents to be recorded.
8. Upon receipt of the recorded documents back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Quit Claim Deed and copies of the other documents to the grantee.
9. Sale proceeds are to be used to support cemetery infrastructure and improvements funds: PK138.



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Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

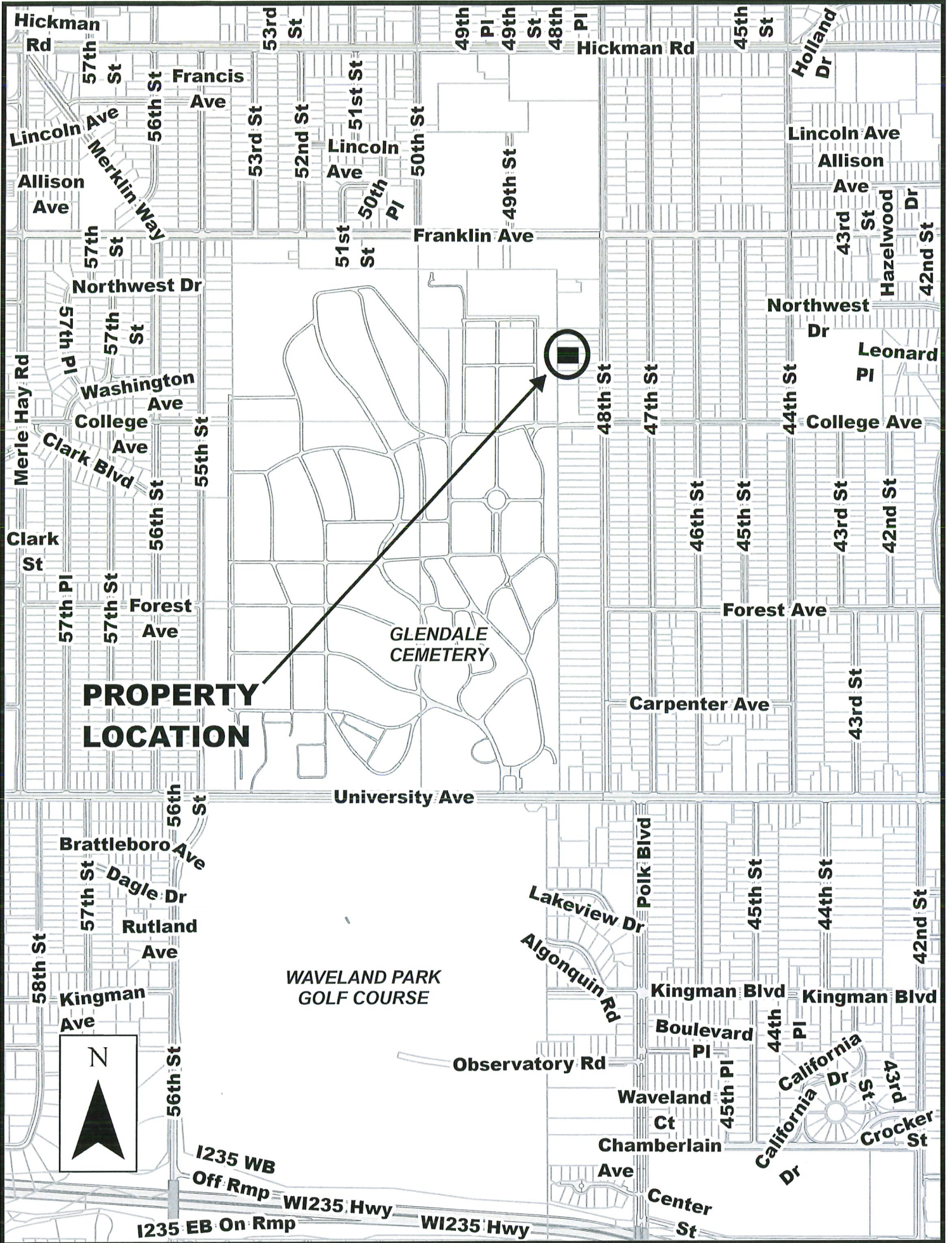
CERTIFICATE

I, Laura Baumgartner, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

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PROPERTY LOCATION

GLENDALE CEMETERY

WAVELAND PARK GOLF COURSE



1235 WB Off Rmp
 WI235 Hwy
 1235 EB On Rmp
 WI235 Hwy